

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO.: 3:10-CV-154-MOC-DSC**

**PROVIDENT LIFE AND ACCIDENT
INSURANCE COMPANY,**

Plaintiff,

v.

**LAURA M. SANDERS and
DIANE M. SANDERS,**

Defendants.

MEMORANDUM AND ORDER

THIS MATTER is before the Court on “Defendant Laura M. Sanders’ Motion to Compel Defendant Diane M. Sanders to Make Disclosures and Cooperate in Discovery” (document #47) filed June 2, 2011. The pro se Defendant Diane M. Sanders has not responded to the Motion and the time for filing a responsive brief has expired.

The Court has carefully reviewed the Motion, which has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. §636(b), and is now ripe for the Court’s consideration.

A detailed discussion of the factual background and procedural history in this matter is contained in the Court’s “Order” (document #37) (denying without prejudice Defendant Laura M. Sanders “Motion for Judgment on the Pleadings” (document #16), granting Plaintiff’s “Motion to Dismiss” (document #18), and dismissing with prejudice Plaintiff as party to this action.

It is apparent that Defendant Laura M. Sanders is entitled to an order compelling Defendant Diane M. Sanders to make initial disclosures and respond to Defendant Laura M. Sanders’ Request for Admissions, First Request for Production of Documents, and First Set of Interrogatories.

The Court specifically warns Defendant Diane M. Sanders that any further failure to respond

to Defendant Laura M. Sanders' discovery requests or serve her Initial Disclosures, to otherwise respond to Defendant's reasonable discovery requests, or to comply with this Court's orders, the Local Rules, or the Rules of Civil Procedure will result in the imposition of sanctions. **Sanctions may include Defendant Diane M. Sanders being required to pay Defendant Laura M. Sanders' costs, including reasonable attorney's fees, and may also include entry of default judgment.**

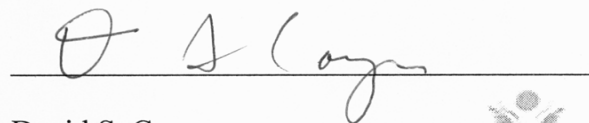
NOW THEREFORE, IT IS ORDERED:

1. "Defendant Laura M. Sanders' Motion to Compel Defendant Diane M. Sanders to Make Disclosures and Cooperate in Discovery" (document #47) is **GRANTED**. Defendant Diane M. Sanders shall serve her Rule 26 her Initial Disclosures and make complete responses to Defendant Laura M. Sanders' Request for Admissions, First Request for Production of Documents, and First Set of Interrogatories on or before July 15, 2011.

2. The Clerk is directed to send copies of this Memorandum and Order to the pro se Defendant Diane M. Sanders; to counsel for the remaining parties; and to the Honorable Max O. Cogburn, Jr.

SO ORDERED.

Signed: June 27, 2011

A handwritten signature in black ink, appearing to read "D. S. Cayer", is written over a horizontal line.

David S. Cayer
United States Magistrate Judge

